REMARKS

Claims 1-22 are currently pending in the present application. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner rejected Claims 1-21 under 35 U.S.C. § 103(a) as being unpatentable over Sato (JP-8-293039A) in view of Ohba (JP-3-216767A). This rejection is respectfully traversed with respect to the amended claims.

As previously communicated, the present invention is directed to a method and apparatus for animating a video object whereby movable parts of an animated object move in accordance with music. Specifically, music control information is provided whereby the information includes different types of music control event data, such as different types of MIDI data ("types" of MIDI data are generally understood to include MIDI events such as "note on," "note off," etc).

In accordance with the preferred embodiment recited in Claims 1, 10, 14, and 18, a particular type of event data may be selected from a displayed list of different types of event data by a user using a graphical user interface such as the one illustrated in Fig. 7 of the present application. The selected type of event data can be graphically designated to correspond with certain movable parts of the animated object. Music and video images are then generated whereby sounds and video images are generated in response to the music control event data (such as MIDI data), and whereby the movement of the movable parts of the animated object is controlled in accordance with the selected settings (i.e., each movable part responds to a particular type of event data selected by the user).

To illustrate the above, Fig. 7 shows that each part of an animated object (such as left elbow, right arm, head, etc.) can be separately designated to respond to a particular type of MIDI data (such as a note-on event). Thereafter, each instance during which a selected event data is received, the corresponding moving part would respond.

Neither Sato nor Ohba contain any disclosure or suggestion of providing music control data containing multiple types of event data whereby different types of event data is selected <u>via</u>

la-734949

a graphical user interface and designated to correspond with different movable parts of an animated object. As previously explained, Sato is directed to a musical image conversion device whereby the device detects volume, pitch, peaks and chords of a musical signal and generates a motion image based on the detected results. As the Examiner also acknowledged in page 4, Sato does not explicitly discuss controlling the movements of the respective movable parts in correspondence to the type of event data included in the music control information. More importantly, Applicants respectfully submit that Sato does not contain any suggestion or disclosure of providing a graphical user interface for selecting, from amongst a plurality of types of music control event data that are displayed, a particular type of control data for each of the movable parts of an animate objects. Sato also does not disclose or teach displaying the correspondence relationship between the movable parts of the animated objects and their corresponding assigned control event data.

Ohba fails to make up for the deficiencies of Sato. Specifically, as previously explained, Ohba is directed to an image production device whereby intervals, rhythm, and length of musical tones generated according to musical signals are detected, and whereby synthesis parameters are generated for changing the shape of an image according to the detected results. Ohba teaches pre-storing into an image memory fundamental shapes associated with the motions of the legs and arms of an animated character. At the same time, parameters associated with the motions of legs, arms, and display position of the character are stored in a parameter memory. The stored parameters are used to designate timing points on a timing axis for displaying one of the pre-stored shape images at those time axis. Again, the parameters (e.g., Q, R, and S) are time-indicating parameter data for designating time points at which the different stored images are displayed.

When MIDI signal is received, Ohba teaches detecting and extracting the scale, stress, and length of the sounds generated by the MIDI signal, and generate parameters RQ, RR, and RS based on the detected values of the sound, each of which are weighted by coefficients to generate synthesizing parameters for varying the image displayed. Ohba simply does not teach or suggest

la-734949

designating a type of control data for each movable part of an animated object. The Examiner cites pages 3 and 4 of Ohba (the use of a keyboard to generated a sound for generating the motion parameters) as teachings of allocating types of event control data to particular movable parts of an animated object; this is simply not a correct reading of Ohba.

More importantly, Ohba certainly does not contain any disclosure or suggestion of using a graphical user interface to select and designate a type of control data, from amongst a plurality of types of control data displayed, for each movable part of an animated object (as recited in amended Claims 1, 10, 14, and 18).

Accordingly, Applicants respectfully submit that amended Claims 1-21 are not anticipated by, nor obvious in view of, Sato or Ohba, either alone or in combination.

The Examiner maintained the rejection of Claim 22 under 35 U.S.C. § 103(a) as being unpatentable over Sato in view of Ohba. This rejection is again respectfully traversed.

As previously communicated, Ohba does not contain any disclosure of selecting and setting a <u>channel</u> of music control information <u>from a plurality of channels</u> using a parameter setting module. Ohba makes no mentions anywhere of a plurality of music channels from which one particular channel can be designated for a particular moving part of an animated object.

The Examiner, while agreeing that Ohba does not contain any disclosure of channels of music control information, somehow maintains that Ohba suggests selecting a chancel of music from a plurality of channels of music. There is no support for the Examiner's position that, even if Ohba teaches selecting and setting music control information for movable parts of an animated object, Ohba also teaches choosing a channel of music control information, from amongst a plurality of channels, to set the parameters of the movable parts of an animated object.

Applicants respectfully submit that the Examiner's position is conclusory and without adequate support from the cited prior art references; furthermore, the Examiner is forcing a leap of logic that relies on inaccurate interpretation of the reference. Applicants again respectfully submit that Claims 22 is not anticipated by, nor obvious in view of, Ohba.
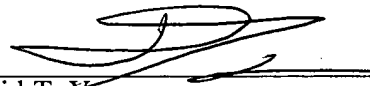
In view of the foregoing, Applicant respectfully submits that all of the claims are in condition for allowance. Reconsideration and reexamination of the claims are requested, and an early allowance is solicited. If the Examiner believes it would further advance the prosecution of the present application, or if she has any further questions regarding the present application or the background technology generally, Applicants respectfully request the Examiner to contact the undersigned attorney.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant(s) petition(s) for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 39303.20052.00.

Respectfully submitted,

Dated: July 20, 2004   By: _____
                                      David T. Yang
                                      Registration No. 44,415

                                      Morrison & Foerster LLP
                                      555 West Fifth Street
                                      Suite 3500
                                      Los Angeles, California 90013-1024
                                      Telephone: 213/892-5587
                                      Facsimile: (213) 892-5454

la-734949